

**From:** jordan pollack  
**To:** Microsoft ATR  
**Date:** 1/11/02 3:14pm  
**Subject:** ms settlement

I am opposed to the settlement.

Your agreement helps Dell, Compaq, IBM, HP, Gateway, etc, the sellers of computers who have had to deal with Microsoft's favoritism and capriciousness in pricing over the years, and it perhaps helps application vendors who want to preserve interoperation across microsoft's upgrades (like wordperfect (dead), Lotus (dead) Netscape (dead) Real (almost dead) Palm (almost dead)

But I believe that as long as Microsoft can dictate when and how much an upgrade costs for what has become a public standard like the electric or telephone socket, the nation will continue to be fleeced. Your settlement does nothing here.

If it were simply made illegal for the vendor of a proven monopoly product to charge for an upgrade, the vendor could not profit from bundle in clones of competitive products like outlook, explorer, mediaplayer etc, expecting to get their fee from forced upgrades and market capture.

They would have to compete more fairly against unbundled goods.

And, instead of monopoly in every area of software through competitive upgrades, secret formats for files, we would arrive through evolution of competition at public standards for file formats (like word and html and powerpoint) and oligarchies on user interface (like wordstar, wordperfect, and word, all working on the same files, or Powerpoint, Freelance, and Persuasion, working on the same presentation format!)

Finally, the old licenses on junked computers (with appropriate certification) would become valuable in trade instead of worthless.

If you do fail to close this agreement, please read <http://jordanpollack.com/softwaremarket> for a free market solution.

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